

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

\*\*\*\*\*

UNITED STATES OF AMERICA

Criminal Action No. 5:02-CR-054

v.

KENNETH ROBINSON,

Hon. Frederick J. Scullin, Jr.

Defendant.

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ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon, the United States Attorney for the Northern District of New York hereby dismisses Count 3 of Indictment No. 5:02-CR-054 against KENNETH ROBINSON, the defendant herein.

The reason(s) for this dismissal are (check one or more):

- Case transferred to another District
- Speedy Trial Act
- Defendant's cooperation
- Insufficient evidence at this time
- Other: The defendant pled guilty to Count 2 of Indictment No. 5:02-CR-054 and pursuant to the Plea Agreement, Count 3 was to be dismissed at the time of sentencing on Count 2.

With respect to this dismissal, defendant (check one):

Consents  
 Objects  
 Has not been consulted

This dismissal is with prejudice for so long as the plea and sentence on Count 2 remain in effect.

GLENN T. SUDDABY  
United States Attorney

By: Andrew T. Baxter  
Assistant U.S. Attorney  
Bar Roll No. 101114

Leave of court is granted for the filing of the foregoing dismissal.

Dated: May 3, 2006  
Syracuse, New York

J. Scullin  
Hon. Frederick J. Scullin, Jr.  
Chief United States District Court Judge